

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

ANGELIA MARIE RICH

Plaintiff,

v.

**COLUMBIA MEDICAL CENTER OF
PLANO SUBSIDIARY, L.P. d/b/a
MEDICAL CITY PLANO**

Defendants.

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Civil Action No. 4:19-cv-404

PLAINTIFF'S COMPLAINT

COMES NOW, Angelia Rich, Plaintiff, (hereinafter referred to as "Rich") complaining of Defendant Columbia Medical Center of Plano Subsidiary, L.P. D/B/A Medical City Plano, (hereinafter referred to as "Defendants"), and would respectfully show unto the Court as follows:

I. JURISDICTION AND VENUE

1. Plaintiff invokes this Court's jurisdiction pursuant to 28 U.S.C §§ 1332.
2. Venue is proper in the Sherman Division of the State of Texas pursuant to 28 U.S.C. ¶ 1391(c). The Defendants are authorized to do business and regularly conduct business in the State of Texas. Plaintiff was employed in Collin County, Texas.

II. PARTIES

3. Plaintiff, Angelia Rich, is a resident of the City of Gunter, the County of Grayson, and the State of Texas.
4. Defendant, Columbia Medical Center of Plano Subsidiary, L.P. D/B/A Medical City Plano, is a Foreign Limited Liability Company authorized to do business in the State of Texas

and may be served with process by serving its registered agent, to wit: C T Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas, 75201-3136.

IV. BACKGROUND

5. Plaintiff was employed by the Defendant beginning on April 20, 2015. The Defendant terminated Plaintiff's employment on March 20, 2019.

6. The Plaintiff was employed as a pathology secretary/ transcriptionist.

7. The Defendant operates a hospital in Plano, Collin County Texas.

8. The Plaintiff reported violations of law involving confidential patient health information, which violations were committed by Ameripath a pathology contractor and Medical City Plano. Plaintiff reported the violations to the supervision of both entities.

9. After the Plaintiff reported the violations, the Defendant falsely accused the Plaintiff of: "improper protection of confidential health information". The stated reason for termination is false.

10. The Defendant states it offers an alternative dispute program. Plaintiff complied to the letter with the process. Plaintiff, as the policy states, requested arbitration. The Defendant ignored the request. After weeks passed and after the Plaintiff requested a response on more than one occasion, the Defendant finally had a lawyer contact the Plaintiff. Still the arbitration process has not been initiated by the Defendant. The Defendant was to initiate the process and refuses to do so.

11. The Defendant's conduct violates Texas Health and Safety Code Sec. 161.134 *et. seq.*, which prohibits retaliation for reporting violations of law. The termination occurred

within 60 days of the report(s). As such, there is a presumption of improper motivation.

VII. DAMAGES

12. Defendant's conduct towards Plaintiff caused emotional pain and suffering, mental anguish and/or other nonpecuniary losses, for which Plaintiff seeks compensatory damages.

13. Plaintiff's harm was a result of the Defendants' malice or reckless indifference to Plaintiff's protected rights, thus Plaintiff seeks exemplary damages.

14. Plaintiff seeks statutory damages, back pay, front pay and or lost wages and benefits in the past and future, all actual monetary losses, liquidated damages, attorney's fees, expert witness fees, costs, interest and such other and further legal and equitable relief to which Plaintiff is entitled.

15. Plaintiff is entitled to actual damages, including pecuniary damages, mental anguish or emotional pain and suffering, inconvenience, and loss of enjoyment of life in the past and in the future, exemplary damages and such other and further relief to which Plaintiff is entitled because of the actions and or omissions complained of above.

VIII.

All conditions precedent to the filing of this action have been fulfilled.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that the Defendant be cited to appear herein, and, on hearing hereof, the Court grant the following:

1. Lost earnings and employee benefits in the past and future;
2. Compensatory damages in the past (which may include mental anguish and other

- nonpecuniary losses);
3. Liquidated/exemplary damages;
 4. Reinstatement to Plaintiff's former position of employment;
 5. Reasonable and necessary attorney's fees;
 6. Costs and prejudgment interest; and
 5. Such other and further relief, both legal and equitable, to which Plaintiff may be justly entitled.

Respectfully submitted,

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/s/ John E. Wall, Jr.

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Attorney for Plaintiff

JURY REQUEST

Plaintiff respectfully requests a jury trial.